

**CALENDAR ITEM
C03**

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S 4

04/06/11
WP 6177.9
R. Boggiano

RECREATIONAL PIER LEASE

APPLICANTS:

Casimer L. Malinowski and Etta L. Malinowski

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Sacramento River, adjacent to 17300 Long Island Road, near the city of Walnut Grove, Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of an existing, single-berth covered and uncovered floating boat dock, eight pilings, and gangway as shown on Exhibit A.

LEASE TERM:

10 years, beginning August 1, 2010.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Liability insurance in the amount of no less than \$500,000.

OTHER PERTINENT INFORMATION:

1. Applicants own the uplands adjoining the lease premises.
2. On April 20, 2000, the Commission authorized a Recreational Pier Lease with Casimer L. Malinowski and Etta L. Malinowski. That lease expired on July 31, 2010. The Applicants are now applying for a new Recreational Pier Lease.
3. The Applicants qualify for a Recreational Pier Lease because the Applicants are natural persons who own the littoral land that is improved with a single-family dwelling.

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4. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; Title 2, California Code of Regulations, section 2905 (a)(2).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq., but such activity will not affect those significant lands. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

EXHIBIT:

- A. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to Title 14, California Code of Regulations, section 15061 as a categorically exempt project, Class 1, Existing Facilities; Title 2, California Code of Regulations, section 2905 (a)(2).

SIGNIFICANT LANDS INVENTORY FINDING:

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code sections 6370, et seq.

AUTHORIZATION:

Authorize issuance of a 10-year Recreational Pier Lease to Casimer L. Malinowski and Etta L. Malinowski, beginning August 1, 2010, for the continued use and maintenance of an existing single-berth covered and uncovered floating boat dock, eight pilings, and gangway as shown on Exhibit A attached and by this reference made a part hereof; no monetary consideration pursuant to Public Resources Code section 6503.5; liability insurance in the amount of no less than \$500,000.